

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:	
	:	
-v-	:	
	:	19 Cr. 671 (VSB)
RAFAEL VALDOVINOS,	:	
	:	<u>ORDER</u>
Defendant.	:	
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VERNON S. BRODERICK, United States District Judge:

As the parties are aware, sentencing of Defendant Rafael Valdovinos (“Valdovinos” or “Defendant Valdovinos”) has been adjourned to January 11, 2022 at 9:00 a.m. I have completed my initial review of the Presentence Investigation Report (“PSR”), the defense sentencing submission, and the Government’s sentencing submission. Based upon that review, it is hereby:

ORDERED that the parties shall provide the following requested documents prior to sentencing and shall be prepared to discuss/answer the following topics and questions either at sentencing or prior to sentencing:


1. Please provide copies of the reports documenting the statements made to law enforcement by Rafael Valdovinos.
2. Please provide the transcript of recorded conversations or the recorded conversations whichever is in existence between Valdovinos and CS-1.
3. In paragraph 54 of the PSR it describes Defendant being attacked while he was in prison. Please provide a copy of the Bureau of Prison records documenting the attack? Please provide any documents documenting any disciplinary action taken against the inmate who attacked Defendant.

4. In paragraph 12 of the PSR there is a reference to sham United States currency.
How much money was CS-1 supposed to pay for the drugs seized at the time of Defendant's arrest?
5. In paragraph 7 of the PSR references Defendant's disciplinary records. Please provide a copy of Defendant's disciplinary records.
6. The questions that appear as subparts below can be answered by whichever party has the relevant information. With regard to the first paragraph on page 3 of the defense submission:
 - a. It states that Defendant's cousin "was being threatened in Colima, Mexico. Is there any evidence to support this claim? Defendant's claim that his cousin was being threatened?
 - b. It states the Defendant believed the drugs he was being sent was marijuana. Is there any evidence to support this claim?
 - c. It states that Defendant received a package that was "shipped to Westchester." Is there any evidence that a package was shipped to Westchester either recovered during the search of Defendant's room or otherwise?
7. The gun seized during the search of Defendant's room:
 - a. Was the gun recovered from Defendant's room loaded? If not, was there ammunition recovered?
 - b. Was the gun recovered from Defendant's room operable?
8. Defendant's phones seized at the time of his arrest:
 - a. Were defendant's phones searched?

- b. Did the search show contact with CC-1?
 - c. Did they show communications that the Government believes is evidence of narcotics trafficking?
9. Was the residue on the items seized from defendant's room tested? If so, what were the results of those tests?
10. Was Defendant employed at Summer Rain Sprinkler or otherwise employed at another job at the time of his arrest?
11. What is the street value of the amount of drugs seized at the time of Defendant's arrest?
12. Is there any evidence that Defendant was involved in prior crystal meth sales?

SO ORDERED.

Dated: January 10, 2022
New York, New York


Vernon S. Broderick
United States District Judge